

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

Antrell Jermaine Fordham,

Plaintiff,

v.

Francine Bachman (D.H.O.), *et al.*,

Defendants.

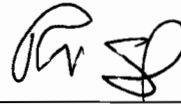
Civil Action No. 2:16-945-RMG

ORDER

This matter is before the Court on the Report and Recommendation of the Magistrate Judge, recommending summary dismissal of this *pro se* prisoner action as frivolous because it is a duplicate of Civil Case No. 2:16-249-RMG. Because this case is based on the same facts, the same grievance against the same defendant, the same prison disciplinary proceedings, and the same supporting documents as that pending case, the Court dismisses this action pursuant to 28 U.S.C. § 1915(e) as a frivolous and duplicative suit. *See Cottle v. Bell*, 2000 WL 1144623, *1 (“Because district courts are not required to entertain duplicative lawsuits, they may dismiss such suits as frivolous pursuant to § 1915(e).”) (4th Cir. Aug. 14, 2000); *Paul v. de Holczer*, Civ. No. 3:15-2178-CMC, 2015 WL 4545974 (D.S.C. July 28, 2015) (“[R]epetitious litigation of virtually identical causes of action may be dismissed under 28 U.S.C. § 1915 as frivolous or malicious.”), *affirmed by* 2016 WL 426498 (4th Cir. Feb. 4, 2016); *Wilkins v. Harley*, Civ. No. 6:11-3463-MBS-KFM, 2012 WL 256566, *2 (D.S.C. Jan. 12, 2012) (“[T]his duplicate § 1983 Complaint is frivolous and subject to summary dismissal”).

Therefore, the Court **ADOPTS** the Report and Recommendation as the Order of the Court and **DISMISSES WITH PREJUDICE** the Complaint without issuance or service of process.

AND IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'RM Gergel', written over a horizontal line.

Richard Mark Gergel
United States District Court Judge

April 26, 2016
Charleston, South Carolina